

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF INDIANA
HAMMOND DIVISION**

KACIE KRAUSE and MARCUS HARVEY,)	
Individually and on Behalf of KH, a minor,)	
)	
Plaintiffs,)	
)	
v.)	2:13-cv-00345-PPS-APR
)	
KEITH M. RAMSEY, M.D., P.C., et al.,)	
)	
Defendants.)	

ORDER

Plaintiffs filed their personal injury complaint in state court against several healthcare provider individuals and entities. The United States Attorney General removed the case to federal court because some of the defendants were acting within the scope of their office or employment as deemed Public Health Service employees, so the United States stepped into the place of those defendants. (Docket Entry 2.) No counsel for any defendant appeared in federal court other than counsel for the United States. The United States and the plaintiffs filed a joint Stipulation of Dismissal and Joint Motion to Remand (DE 20) on March 14, 2014, pursuant to Fed. R. Civ. P. 41(a)(1)(A)(ii). The parties stipulated to dismiss defendant United States from the case, *without prejudice*. With the United States dismissed from the case, there is no longer a basis for federal jurisdiction, and the principal of comity recommends that state courts adjudicate state law.

For the foregoing reasons, Plaintiffs' claims against defendant United States of America are therefore **DISMISSED WITHOUT PREJUDICE** (DE 20), with each party to bear their

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own attorneys' fees, costs, and expenses. This case against the remaining defendants is now
REMANDED to Lake Superior Court. (DE 20.)

SO ORDERED.

ENTERED: March 17, 2014

/s/ Philip P. Simon
CHIEF JUDGE
UNITED STATES DISTRICT COURT